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LOCHT.060RA

PATENT 1 1 12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

For

SIMULATED WAVE WATER

SCULPTURE

Examiner

F. Lagman

Group Art Unit 3673

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on

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Glen L. Nuttall, Reg. No. 46,188

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RESPONSE TO OFFICE ACTION

United States Patent and Trademark Office P.O. Box 2327 Arlington, VA 22202

Dear Sir:

In the Office Action mailed November 26, 2001, the Examiner stated that the original Reissue Application Declaration filed with the above-captioned Application was defective because the oath did not state whether the inventor is a sole or joint inventor of the claimed invention. As such, the Examiner rejected Claims 1-8, 10-18, 20-39 and 42-81 as being based upon a defective reissue declaration. No other basis for rejection was set forth by the Examiner, and Applicant believes that the claims are otherwise allowable.

In response to the Examiner's rejection, Applicant has filed herewith a Supplemental Reissue Application Declaration by Inventor Under 37 C.F.R. § 1.175. This Supplemental Declaration supplements the original Declaration. Paragraph 2 of the Supplemental Declaration specifically states that the inventor believes that he is "the original, first and sole inventor...."

Appl. No.

09/848,972

Filed

May 4, 2001

Applicant believes that the Supplemental Declaration filed herewith addresses and overcomes the Examiner's rejection, and that all of the claims are allowable.

CONCLUSION

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

By:

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